

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Jawann Rashad Gary

Docket No. 7:08-CR-24-1BO

Petition for Action on Supervised Release

COMES NOW Pamela O. Thornton, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jawann Rashad Gary, who, upon an earlier plea of guilty to Felon in Possession of Firearms, in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on October 30, 2008, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall pay a \$100 special assessment.

Jawann Rashad Gary was released from custody on November 21, 2012, at which time the term of supervised release commenced.

On August 18, 2013, the court was apprised the releasee had used marijuana on July 17, 2013, and agreed to hold the violation in abeyance and allow the releasee to participate in substance abuse treatment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 3, 2013, the releasee submitted a urine specimen as instructed by the surprise urinalysis program which revealed a positive result for cocaine. The specimen was sent to Alere Toxicology for confirmation and the positive result was confirmed and received by the probation officer on October 15, 2013. On October 22, 2013, the releasee was admonished and admitted to using the drug with a friend. The probation officer requested a urine screen that same day, October 22, 2013, which also revealed a positive result for cocaine. The releasee again admitted to using cocaine and stated he had been under a lot of stress recently regarding custody of his children and finances. The releasee was immediately referred for an appointment with his therapist at Coastal Horizons Treatment Center.

The releasee was admonished for his behavior and informed that future drug use would not be tolerated. He is currently participating in outpatient substance abuse treatment at Coastal Horizons Treatment Center and is working a full time job as a cable fitter. Following his recent use of cocaine, his treatment program and urinalysis was intensified. As a sanction for his behavior it is recommended that the releasee's conditions be modified to include two (2) weekends in jail.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall be confined in the custody of the Bureau of Prisons from 6:00 p.m. each Friday until 6:00 p.m. each Sunday for a period of 2 consecutive weekends, and shall abide by all the rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

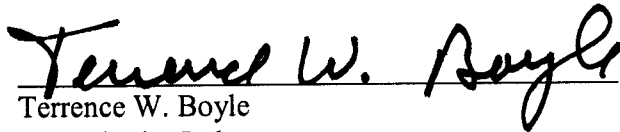
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Pamela O. Thornton
Pamela O. Thornton
Senior U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: October 30, 2013

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ORDER OF COURT

Considered and ordered this 30 day of October, 2013, and ordered filed and made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge